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In Memoriam — John W. Bartlett (Pages 4 & 5)

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TREASURE STATE

HEALTH

VOL. 34, NO. 2 Spring, 1985 MONTANA DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES

Legislators Turn to Unconfirmed Federal Funds To Give Department 'Healthy' Budget Increase

On paper it looks good — the 49th Montana Legislative Assembly adjourned and left the Montana Department of Health and Environmental Sciences with an apparent "healthy" biennium budget increase of $9,275,499 or 23.7% more than 1984-85.

(As Ray J. Hoffman, administrator of the department's fiscal management division, emphasizes, comparisons such as this article makes — a strict measuring of the current biennium approved budget against the next biennium — leaves a whole financial story untold. For example, the 1984-85 approved budget misses several million dollars in budget amendments added to that total after the appropriations were approved by the 1983 legislature, affecting both federal funds and general fund increases. Also, the 1986-87 approved budget is what was included in the general appropriations bill and does not reflect new programs approved by the 1985 legislature and carrying their own separate appropriation.)

However, when the legislators approved $48,369,393 for the department in 1986-87 as compared to $39,093,894 for the current biennium, they turned almost totally to the federal government for that increase.

Only 14.4% of the total funds approved for the coming biennium are from the state's general fund and it actually represents a decrease from the 1984-85 funding of 1.4% to $6,976,147 for 1986-87. The actual decrease in dollars from the general fund for the next two state fiscal years is $99,848.

By comparison, federal and other special revenue funds compose 73.1% of the department's approved budget for the biennium at $35,333,943, representing an increase in that category of 24% or $6,834,494 from the $28,499,449 for 1984-85.

This heavy reliance on federal funds came despite significant bipartisan comment as the session opened by Senate President Bill Norman (D-Missoula) and

(Continued on Page 2)

Opitz in Third Career as Deputy Director

William J. Opitz is well-launched into his third career, taking over in February as deputy director of the Montana Department of Health and Environmental Sciences.

The new 43-year-old chief assistant to department director Dr. John J. Drynan was with the Department of Public Service Regulation for the last 10 years.

Opitz was executive director for the Public Service Commission for the six years the PSC had such a position. He also served that department as administrator of its utility division and centralized services division.

Opitz came to state government after a 10-year career with the U.S. Navy. He was graduated from the U.S. Naval Academy with a bachelor of science degree in naval engineering and was among 25 graduates in 1963 to receive special commendation from the superintendent of the academy.

He later attended the Navy's nuclear power training and submarine school and served as an officer aboard the USS James K. Polk, a nuclear powered ballistic missile submarine, for three years.

After his naval service, Opitz attended the University of Montana at Missoula and taught an undergraduate course in managerial finance there, nearly completing his master's of business administration degree requirements before leaving to join the PSC.

He was born and reared in Missoula and was student body president and active in all sports at Loyola High School, from which he graduated in 1959.

He and his wife, Judy, have a daughter, Kim, who is a sophomore at Montana State University in Bozeman, and a son, David, a freshman at the Montana College of Mineral Science and Technology in Butte.

William J. Opitz

Legislators Turn to Unconfirmed Federal Funds To Give Department 'Healthy' Budget Increase

(Continued from Page 1)

Rep. Gene Donaldson (R-Helena), vice chairman of the House Appropriations Committee, predicting a special session will have to be called on state budget revisions prior to the regular 1987 biennial session.

Norman and Donaldson said the U.S. Administration and Congress, troubled by soaring federal deficits, probably will not agree on a federal budget for some time. And, when the federal budget is finished, federal grants to the states probably will be cut severely and the state budget, based on then-outdated assumptions about federal income, will be thrown out of whack.

In addition to the state general fund and federal and other special revenue funds, the remaining 12.5% of the department's approved budget, or $6,059,303, will come from the state special revenue fund. That is a $2,540,853 increase, or 72.2% more than the $3,518,450 provided from that source in the 1984-85 funding.

Within the department, the approved budget for the director's office in 1986 and 1987 state fiscal years is a total of $2,542,942, which might appear to be nearly double the $1,275,744 for the 1984-85 biennium, but actually reflects a transfer of $1,279,540 current level maternal and child health care grants to counties, which previously were funded through the clinical programs bureau.

As before, the director's office budget also includes funding of the Board of Health and Environmental Sciences ($37,276), the legal unit ($210,071), the information unit, the personnel unit, the end-stage renal disease program and other grant and program responsibilities.

The department's financial management division, which includes the fiscal services bureau ($666,438) and vital records and statistics bureau ($733,994), has a budget of $1,695,290 for the new biennium, only $57,772, or 3.5% more than for 1984-85 funding of $1,637,518.

The environmental sciences division budget shows the greatest increase within the department, from $11,440,350 for 1984-85 to $16,375,952 in 1986-87. That's a 43.1% increase or actual dollar increase of $4,935,602. Much of that entire increase, more than $3 million, comes in the solid and hazardous waste management bureau as a result of accelerated federal activity, principally "Superfund" monies for cleaning up identified hazardous waste sites.

The remainder of the division's increase is in items totalling $1,807,251, including Cabin Creek pre-environmental work meetings, the regulated underground storage tanks program, a transfer from junk vehicle funds to general fund, and fees for services, environmental impact statements, variances, etc.

Other budgeted amounts within the environmental sciences division (with 1986-87 figures first, 1984-85 figures and percentage increase or decrease where possible) are:

Administration, $227,644 and $227,640; food and consumer safety bureau, $1,069,281 and $1,113,302, - 4%; solid and hazardous waste management bureau, $7,870,560 and $4,815,921, + 63.4%; air quality bureau, $1,784,963 and $1,723,214, + 3.6%; occupational health bureau, $420,039 and $355,244, + 18.2%; and water quality bureau, $3,196,214 and $3,205,029, - .3%.

The management services division, which provides several services in support of departmental and local health programs and includes the microbiology and chemistry laboratories, shows an increase in budget with $2,062,299 for the 1986-87 biennium, which is $211,353, or 11.4%, more than the $1,850,946 for the 1984-85 biennium.

Within that division's budget, the breakdown is: Administration, $479,743 and $470,617, + 1.9%; laboratories, $1,462,743 and $1,380,329, + 6%; contingency, $50,000; and data processing, $69,813.

The health services and medical facilities division again accounts for more than one-half the department's total budget. For the coming biennium the division's budget will be $25,692,910, an increase of $2,803,574, or 12.3% more than the $22,889,336 which was approved for 1984-85.

Within the division, here is the breakdown: Administration, $135,326; dental and health education bureau, $274,154 and $360,839, - 24%; bureau of nursing, $3,064,471 and $2,649,004, + 15.7%; clinical programs bureau, $19,285,627 and $17,095,436, + 12.8%; emergency medical services bureau, $1,079,661 and $1,042,922, + 3.5%; health planning and resource development, $679,010 and $678,989; and licensing and certification bureau, $1,174,661 and $1,062,146, + 10.6%.

The clinical programs bureau funding includes the Montana perinatal program, handicapped children's services, nutrition programs, child nutrition, women, infants and children program and tumor registry. The bureau of nursing includes the family planning program and the immunization and venereal disease programs.

TREASURE STATE HEALTH

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Department of Health and Environmental Sciences
Ted Schwinden, Governor; Dr. John J. Drynan, Director;
Joe A. Renders, Treasure State Health Editor.

Board of Health and Environmental Sciences
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14 of 17 Bills Submitted at Department Request Win Legislative Approval, Signed by Governor

Seventeen pieces of legislation in the 1985 session bore the line, "By the Request of the Department of Health and Environmental Sciences," and when it was concluded 14 of those measures were signed into law, only 3 failing to pass during the legislative process.

Here they are by bill number, sponsor and subject matter:

SIGNED

House Bill 113, Miles — Requires all laboratories to report cancer data to the department's tumor registry program.

HB114, Miles — Clarifies the department has express authority to adopt enforceable, binding rules setting safety standards for public swimming pools and bathing places.

HB116, Miles — Deletes requirement for a lifeguard at privately owned swimming pools if a "No Lifeguard on Duty" sign is prominently displayed and an individual is accessible to the pool who is certified as competent in cardiopulmonary resuscitation by the American Red Cross or American Heart Association.

HB119, Miles — Generally revises the tuberculosis control statutes, particularly to allow enforcement of outpatient tuberculosis treatment.

HB141, Manuel — Deletes the requirement that the department perform syphilis tests without charge.

HB142, Manuel — Conforming the time limit within which a premarital serology test performed out-of-state must be performed to that required for such tests performed in Montana.

HB178, Ream — Allows the department to assess fees to defray part of the cost of establishing, maintaining and operating a state hazardous waste management facility.

HB180, Ream — Clarifies the department has authority to seek injunctive relief compelling affirmative compliance with the Montana Hazardous Waste Act or an order, permit or rule issued under it.

HB181, Ream — Allows the department to collect both civil and criminal penalties for violations of the hazardous waste act or its rules, orders or permits.

HB182, Bergene — Deletes requirements that department must approve a laboratory which performs a blood group test as part of a prenatal serological test and that the department laboratory must perform blood group tests.

HB187, Harper — Authorizes district courts to award the department the costs incurred in investigating and abating violations of the Public Water Supply Act.

HB189, Ream — Allows the department to adopt rules requiring hazardous waste transporters to register within Montana and hazardous waste generators and facilities to file annual reports.

HB472, Bradley — Requires licensed health care facilities to be inspected annually and deletes the requirement that facilities applying for license renewal submit reports documenting that they meet minimum standards.

HB676, Donaldson — Amends the hazardous waste act to allow the department to adopt rules setting requirements for underground storage tanks containing petroleum or other hazardous substances and requiring tank owners or operators to report leaks.

KILLED

HB115, Miles — Would have allowed public access to death certificates if the privacy of living persons wasn't jeopardized. (There were difficulties with this legislation early in the process and the department withdrew its support, allowing the bill to die in the House Judiciary Committee.)

HB179, Ream — Would have protected the confidentiality of trade secrets released to the department under the hazardous waste act and allowed release of trade secrets by the department under certain circumstances. The bill died in the House Natural Resources Committee.

HB835, Bergene — Would have appropriated money to the department to support a full-time health educator for persons afflicted with chronic diabetes. (This bill bore the department-request imprimatur by error and only was monitored by the department. It died in the House Appropriations Committee.)

Legislative Statistical Scorecard

The Montana Department of Health and Environmental Sciences followed the legislative progress of 309 of the 1,543 measures (1,027 House and 516 Senate) during the 1985 49th Montana Legislative Assembly.

Here is a statistical summary of what happened to that 20% of the legislation offered:

- **It included 17 bills requested by the department of which 14, or 82.4%, were signed into law, and 3 were killed.**
- **Of the 309 measures the department followed, it actively supported 53, opposed 8 and monitored 248. There were 224 House bills and 85 Senate.**
- **Of the 53 bills the department supported, 37 were signed into law, or 69.8%, and 16 were killed. Thirty-five of these were House bills and the department "won" 27 of them, or 77%. The ratio was not as good with 18 Senate bills, where 10 made it for 55.6%.**
- **The department scored 75% on the 8 bills it actively opposed, with 6 killed and only 2 signed into law. The tally was 5 to 2 on House bills opposed and 1 to 0 on Senate bills.**
- **It was closer to breaking even on bills which the department chose only to monitor — of the 248 so followed, 136 were signed into law (54.8%) and 112 were killed.**
- **The House treated the department much better than Senate on the 53 bills the department supported: The House supported 27, or more than 77%, while killing only 8, but the Senate supported only 10, while 8 Senate bills died (4 in the Senate, 3 in the House and 1 in conference committee).**

In Memoriam — John W. Bartlett 1925-1985

After a long and distinguished career in Montana public health, environment, politics, education and business, John W. Bartlett died of cancer at his Helena home on May 15.

Bartlett retired in late January as deputy director of the Montana Department of Health and Environmental Sciences, a position he held for 5½ years.

Prior to that time he served on the state's Board of Health and Environmental Sciences from 1969 to 1979, the final 6 years as chairman.

With the department, Bartlett was liaison to local, state and federal agencies, the legislature and the governor in his work to protect the public health and welfare and environmental safety of Montana's citizens.

And, while with the board he helped to establish the tough standards of environmental integrity for which Montana now is known nationally.

He also was program director for the Montana Foundation for Medical Care from 1975 until joining the department. During his years with that foundation, a non-profit program directed at lowering medical costs by auditing federally funded health care programs, Bartlett honed the skills and knowledge which became so valuable to the department in its certificate of need cases in recent years.

Before his public health career, he served as interim president of Flathead Valley Community College in the 1974-75 academic year.

Bartlett was recognized and respected by state leaders and his department staff for his abilities as a negotiator and seeker of successful compromises, an art he mastered in his long years in politics.

From significant local Democratic party activities and leadership positions during his business years in Whitefish, Bartlett went on to chairmanship of the Montana Democratic Central Committee, heading the party during some of its most successful campaigns from 1972 through 1978, when he was a primary candidate for the U.S. House of Representatives.

He was born in Harlowton on Oct. 12, 1925, and was graduated from high school there in 1943.

From 1943 to 1945, he was a staff sergeant in the 87th Infantry Division with Gen. George Patton's Third Army in Europe, receiving the combat infantry badge, silver and bronze stars and the Purple Heart with two clusters.

He married Edith M. Welch on April 22, 1944, in Columbia, SC.

Bartlett attended Montana State College in Bozeman and was graduated from the University of Montana with a degree in pharmacy in 1949.

He owned and operated the Chalet City Pharmacy in Whitefish from 1949 to 1973 and also owned the Evergreen Pharmacy in Kalispell.

While in Whitefish, Bartlett served on the city council, was member of the Flathead Area Redevelopment Committee and was a key figure in developing an apartment project for the elderly.

He also served on the federal Small Business Advisory Council under Presidents John F. Kennedy and Lyndon B. Johnson.

Bartlett was a life member of the Whitefish JayCees and the Veterans of Foreign Wars, a member of the Masonic Lodge and Moose Lodge in Whitefish and a member of the Montana Pharmaceutical Association.

Survivors include his wife, Edith; a daughter, Jan Majerus, Helena; two sons, John, Whitefish, and Jim, Kalispell; his mother, Eliza Bartlett, Kalispell; three sisters, Mrs. Jack (Irene) Reitsch, Washington, Mrs. James (Phyllis) Cotter, Las Vegas, and Mrs. Ken (Thelma) Scovill, Kalispell; and nine grandchildren.

Funeral services were in Helena with burial in Resurrection Cemetery there, near the family home.

Health, Environment—High Honors to Bartlett

During the last few weeks of his life, John W. Bartlett personally received and acknowledged the state's two most prestigious awards for his contributions to public health and environmental protection in ceremonies in Bozeman and Helena.

The former deputy director of the Montana Department of Health and Environmental Sciences was presented the Montana Public Health Association's Mary E. Soules distinguished service award by Lt. Gov. George Turman at the health associations' annual convention in Bozeman in April.

About a month earlier, Bartlett was the only Montanan to receive a citizen environmental award from the U.S. Environmental Protection Agency, receiving the tribute from John G. Welles, Denver, regional EPA administrator, in the Governor's conference room.

Turman recounted major policy and political events of the last 15 years, ranging from executive reorganization of state government and passage of the state's new Constitution to enactment of landmark environmental legislation and added, "These were political activities in the best sense of the word and they were commenced when John Bartlett's role in politics was most prominent."

As chairman of the state Board of Health and Environmental Sciences, "John presided over the applications of new environmental laws and regulations in the demanding circumstances of the first major facility siting case," Turman continued.

"His adroitness in sometimes awkward circumstances assured that an appropriate decision would be given and, more importantly, that the process itself would succeed and endure.

"His handiwork in policy matters and administrative procedures is serving and will continue to serve us well. It is fair to say that in both social and physical respects, John's work has improved the health of Montana's people," the lieutenant governor concluded.

In his moving acceptance remarks, which could serve as an editorial to everyone involved in public health and environmental matters, Bartlett acknowledged, "Those of us gathered here are not the most popular people, nor the most accepted people, but we are the most needed people on earth.

"We are here representing all the educational disciplines and the required experience necessary to establish medical treatment, regulation and consultation. We are here representing all the disciplines and the required experience essential environmentally to establish consultation, regulation and enforcement. . . .

"All this raises a question in my mind," Bartlett intoned. "Why, if we sit here so damn smart, why must we individually rely so much on self-motivation? I believe the answer is that we need individually and collectively to regain each other's respect and the respect the public previously held for us. . . .

(Continued on Page 5)

Bartlett congratulated by Lt. Gov. Turman (left) and regional EPA head Welles (right).

(Continued from Page 4)

"We are caught up by lack of trust in the private sector plus an absolute disrespect and disbelief in the whole of government by a great number of people.

"We, ourselves, are often a party to this intolerable situation. We are not showing respect to our coworkers and we are not acknowledging and recognizing the necessity for a widely based team effort to accomplish our job. A job that is essential for the public good but often an aggravation to the individual, medical facility, or company which we must regulate. . . .

"This need for regulation, rules and enforcement to assure good performance is not set up by our great conceit, as we are falsely accused, nor our superior knowledge calling on us to empire build.

"The facts are, and it should remain so, we enforce the law as directed by the executive and legislative branches. . . .

"We gather once a year to say thanks to a few. I am happy to be one of them this year . . . but I urge you to say thanks to each other professionally throughout the coming year as the situations arise. I'm asking that we realize, through those thank-yous, that our single discipline is linked with a great number of disciplines to answer the needs of public health in Montana and the nation.

"The award I accept today epitomizes that fact. I accept with full knowledge of the contribution by each of you, by those at home at the department, by those at the city and county level, and by the Montana Public Health Association, Montana Health Systems Agency and the Statewide Health Coordinating Council — we earned it together and it is the only way it ever will be earned.

"I have high hopes that in coming years you will couple the joint efforts of public health . . . with a concerted effort to look hard at Dr. John J. Drynan's concept of regionalization, and give continuing support to accepting "departmental" structuring for our agency. The last four years have shown a more solid performance is attained working as a department rather than as single bureaus or programs.

"These three commitments by us — the Montana Public Health Association, regionalization and the *Department* of Health and Environmental Sciences — will overcome the lack of commitment and lack of money provided by others.

"We need to believe in our work. We must say thank you to each other more than once a year and we must reflect on the high caliber of people that place us in charge of public health and the high caliber of people we serve with to attain good public health for Montana.

"In my case, the Board of Pharmacy, which examined and re-examined my proficiency before turning me loose on the public; Gov. Forrest Anderson, who appointed me to the State Board of Health in 1969; Gov. Tom Judge, who reappointed me to the board and to the department in 1979; Dr. Art Knight, who appointed me deputy director; Gov. Ted Schwinden, who asked me to stay six months while Dr. Drynan made his choice, and Dr. Drynan who appointed me his deputy director at the beginning of the first week.

"All of these people, coupled with the board members I was privileged to serve with from January, 1969, through January, 1985; all the professional talent which encompasses the Montana Public Health Association and the department, now and in the past, allow me to stand here and say I accept your award with a great deal of pride.

"I urge each of you to be proud as you do the essential job of good public health each day. Thank you for now and for the future. You are excellent people!"

Earlier, when Bartlett received the EPA award, Welles praised Bartlett's many years of distinguished service as a public servant, saying, "John has made a substantial, lasting contribution to Montana's environmental programs.

"As a direct result of his labors, Montana established itself as a leader in responsible environmental protection of its air, water and land. Montana's environmental initiatives are recognized still as being of the highest quality nationally."

Bartlett's service as a member and then chairman of the Board of Health and Environmental Sciences came at a time of great environmental efforts and stresses in Montana and in each of these he served a significant individual role.

It was the years when Montana was rewriting its Constitution with a strong stand on environmental integrity and when sessions of the biennial (and annual) Montana Legislative Assembly passed the many stringent environmental protection laws for the state, which brought national attention to Montana in that regard.

Those were the times when strip mining controls and reclamation came to the fore, public demand grew for air and water quality protection, solid waste management and protection from hazardous wastes surfaced.

Through all of these environmental struggles, Bartlett was best

(Continued on Page 6)

MPHA's Award Presented To Blue Cross

The Montana Public Health Association president's award for leadership and support of public health programs was presented to Blue Cross of Montana at the joint conference of Montana health associations in Bozeman.

In giving the award to Terry Screnar, Great Falls, Blue Cross president, Bruce Desonia, Missoula, MPHA president, mentioned the immunization cards which Blue Cross distributes to health professionals statewide, initial funding and support the company provided for the state wellness program and Bozeman's Young at Heart program for senior citizens.

Vernon E. Sloulin, Helena, who retired last year as chief of the food and consumer safety bureau in the Montana Department of Health and Environmental Sciences, received a special recognition award for achieving the respect and appreciation of his peers through exceptional personal efforts during a long career in the environmental aspects of public health.

Rhonda J. Guttenberg, a Glasgow native, received the 1985 MPHA $200 scholarship. She will be enrolling this fall as a senior in community health nursing at Montana State University's extended campus in Missoula.

World Population Bomb Typified by Mexico City

(Reprinted from "World Health Forum")

How bad is it? Right now, without using the dynamics of projection (which is in itself a tale of terror), it's worse than we can imagine.

Let's take one case: Mexico City. Probably the largest city in the world, it's on its way to becoming the world's first megalopolis. Seventeen million people, about a fourth of the country's population, live on a surface of 1,488 square miles — a population density of 11,500 inhabitants per square mile.

Over 5 million live in extreme poverty. Of the over 3 million housing units, two out of three fail to meet minimum sanitary and construction requirements: 19 percent lack sewage, 21 percent lack running water. In fact, the water supply system is no longer able to provide the 1.6 billion gallons that the population needs each day.

Every day the metropolitan area of Mexico City consumes 5.25 million gallons of gasoline, 11.1 million kilowatt hours of electricity, 3,750 head of cattle and 12 million pounds of tortillas. Every 24 hours, the city's inhabitants make 20 million trips in the 1,728 subway trains, the more than 10,000 buses, 86,700 taxis and 2.7 million private automobiles.

Motorized vehicles give off 14,000 tons of carbon monoxide daily. When this is added to the 3,850 tons of toxic waste that are emitted every day from the nearly 130,000 factories, and the 11,000 tons of garbage that are picked up every day, the result is an incredible pollution problem.

It has been estimated that in some areas, air pollution is 200 percent above acceptable levels. A city health official remarked that breathing in those areas is like smoking 40 cigarettes a day.

Rector Appointed

Gov. Ted Schwinden appointed Havre dentist Robert Rector to the Board of Dentistry, succeeding David Tawney, a Missoula dentist. Rector was graduated from Montana State University at Bozeman with a bachelor's degree in 1961 and received his doctorate of dental medicine from the University of Oregon in 1963. He is chairman of the ethics committee of the Montana Dental Association and in 1984 was elected to the International College of Dentistry.
signed after 14 years in that position.

High Honors to Bartlett

(Continued from Page 5)

known by friends and foes for a masterful ability to negotiate and compromise, balancing economic and health realities with a strong insistence on preserving environmental integrity.

When he was asked to comment on Bartlett's environmental achievements and being named for the EPA honor, Mel Ruder, Pulitzer prize-winning former publisher of the *Hungry Horse News* at Columbia Falls, told the story succinctly: "There was a time when I could not take an aerial photograph in this area — I can now!"

And, Rita Sheehy perhaps summed it up best in recollecting her and John's years together on the Board of Health and Environmental Sciences: "That board, under my chairmanship and John's . . . intentionally made those (environmental) rules extremely stringent and pursued their enforcement vigorously, but still allowed sufficient time for industries to comply. John was especially effective in fighting off the many efforts to diminish and weaken those rules through legislative and legal assaults."

In accepting the EPA's award, Bartlett, as always, recognized the contributions of his co-workers, "Without their dedication and support, my efforts would not have been successful."

He particularly praised the support of Dr. Drynan, "who provided me with the opportunity to share in the decision-making responsibility normally not delegated to the deputy director."

Non-A Non-B Hepatitis — Researchers from the U.S. Food and Drug Administration and the National Institutes of Health have identified a retrovirus, in the same general family as the AIDS virus, as the cause of the most prevalent type of transfusion-transmitted hepatitus called non-A non-B. The disease can cause serious chronic liver infection.

— INDICATORS —

Hip-joint Operations — Thousands of operations to replace artificial hip joints in elderly people may be avoided because of a new method of treating the cement used to hold the joints in place in the original operation. Whirling the cement in a centrifuge for half a minute before using it removes air bubbles which weaken the cement and cause it to break down. Doctors at Massachusetts General Hospital have found that simulated stress tests show untreated cement lasts an average of three years, but the kind mixed in a centrifuge lasts about 10 years.

Elderly Less Thirsty — Dehydration, common among elderly people, may be due partially to a weakening sense of thirst accompanying age. Dr. Barbara J. Rolls of Johns Hopkins reported in the New England Journal of Medicine: "If they get into situations where they're losing fluids, they might not be aware of the fact they need water, because they won't necessarily feel the normal sensation of thirst."

Department Supports 53 Pieces of Legislation During 1985 Session — Winning 37, Losing 16

Of the 1,543 legislative proposals submitted to the 49th Montana Legislative Assembly, the Montana Department of Health and Environmental Sciences officials narrowed the field to 309 measures to follow and then picked 53 of those to receive active departmental support.

When the session ended, 37 of those 53 bills had become law and 16 met defeat in the legislative process.

An accompanying story on department-requested bills describes 14 of the 37 successful measures and 1 of the 16 which were defeated. **(See Page 3)**

Here are the department's other 24 "winners" and 14 "losers" listed by bill number, sponsor and subject matter:

SIGNED

House Bill 12, Bardanouve — Clarifying appropriations by defining and establishing requisites for valid continuing statutory appropriations.

HB183, Ellerd — Requires a nonsmoking area in each enclosed work area maintained by the state or any of its political subdivisions.

HB203, Bardanouve—Appropriations to state agencies in lieu of budget amendments for fiscal year 1985 and providing some appropriations to continue through fiscal year 1986.

HB258, Cohen — Adds director of the Department of Health and Environmental Sciences or his designee as an ex-officio member of the Flathead Basin Commission.

HB344, Manuel — Appropriates and limits use of funds in providing training for family practice resident physicians.

HB412, Hayne—Clarifies certain definitions used in school special education law.

HB430, Bradley — Establishes a voluntary statewide genetics program funded by a charge on health insurance of 45¢ for each Montana resident insured.

HB500, Bardanouve — The general appropriations act of 1985 for money to the various state agencies for the biennium ending June 30, 1987.

HB633, Lory — Requires deposit of subdivision fees in the state general fund and requires funding for subdivision reviews be from the general fund and provides an appropriation.

HB711, Cohen — Allows counties to prohibit the sale and distribution of certain phosphorus compounds used for cleaning purposes and requires the Department of Health and Environmental Sciences to adopt a model rule.

HB766, Ream — Authorizes the Department of Health and Environmental Sciences to take remedial action to prevent or alleviate the release of hazardous or deleterious substances into the environment and establishes special funding for such.

HB922, Harper — Appropriates the balance in the resource indemnity trust interest account through fiscal year 1985 for designated projects, including the Department of Health and Environmental Sciences $800,000 for a hazardous waste management collection and transfer facility and $15,000 for Scobey air quality monitoring.

HB942, Winslow — Requires biennial appropriations from the resource indemnity trust fund to implement certain hazardous waste laws.

HB956, Marks — Appropriates $500,000 from the junk vehicle state special revenue fund to the general fund for the biennium ending June 30, 1987.

Senate Bill 57, Conover — Provides for attaching donor's statement under the uniform anatomical gift act to back of driver's license.

SB59, Towe — Prescribing standards of accessibility to public buildings for handicapped persons.

SB71, Hager — Revises the procedure for reviewing certificate of need applications for health care facilities and eliminates appeals to the Board of Health and Environmental Sciences.

SB80, Jacobson — Requires citation instead of warning for first offense penalty for violating child safety restraint law.

SB92, Christiaens—Extending handicapped persons' parking privileges to persons entitled to such privileges in other states.

ing by licensed dentists.

HB405, Driscoll — To provide early intervention services for handicapped

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Governor Appoints Helena Man, Re-appoints 3 Others to Board

Gov. Ted Schwinden appointed Richard Swenson, Helena, to the Montana Board of Health and Environmental Sciences, replacing Dr. Raymond Grondahl, Butte, who had served on the board for five years.

At the same time, the Governor reappointed Tennie Bottomly, Belgrade; Kenneth Lee, Scobey; and Edwin Zaidlicz, Billings.

Swenson, appointed to a four-year term expiring in February, 1989, is the president of Educational Software, Inc., a Helena-based technology business. He attended the University of Montana in Missoula, receiving a bachelor's degree in 1967, his master's in 1970 and a doctorate in psychology in 1972.

He is a past director of the Shodair Children's Hospital developmental center, Helena; former chief of the habilitation and evaluation bureau of the Montana Department of Social and Rehabilitation Services, and served in several administrative positions at the Boulder River School and Hospital.

Swenson joined the board for his first meeting participation in May.

Bottomly, Lee and Zaidlicz, all of whom have been board members since January, 1981, will serve new terms expiring in January, 1989.

Bottomly received a bachelor's degree in music from Wartburg College in Waverly, Iowa, and a master's degree in education from Montana State University in Bozeman and has spent much of her career as a teacher and elected school trustee. She has been managing a ranch in the Belgrade area since 1972 and is a member of several agricultural organizations.

Lee, a third generation resident of Daniels County, is a veterinarian and operates a farm and ranch southwest of Scobey. He attended MSU and in 1971 was graduated from Washington State University at Pullman, WA, with a doctorate in veterinary medicine.

Zaidlicz is a former director of the Montana office of the U.S. Bureau of Land Management, administering nearly 8 million acres of federal land in Montana and the Dakotas. His federal career included several positions in forest management for the BLM, and prior to that he worked as a scaler, logger and timber cruiser.

Department Supports 53 Pieces of Legislation During 1985 Session — Winning 37, Losing 16

(Continued from Page 7)

pre-school children through coordination among the Superintendent of Public Instruction, the board of trustees of each elementary school district and the Department of Social and Rehabilitation

SB123, Eck — Increases the amount of the maximum incentive award under the statewide employee incentive award program from $500 to $1,500.

SB214, Mazurek — Permits certain dental hygienists to administer local anesthetic agents and removes the requirement that an applicant for a license to practice dental hygiene submit to an oral interview.

SB309, Mohar — Allows a tax credit for installing low emission wood or biomass combustion devices and extends the date for which the energy tax credit may be taken to Dec. 31, 1992.

SB387, Lybeck — Allows police and emergency vehicles to carry a portable green signal light for purposes of designation as the on-scene command and control vehicle in an emergency or disaster.

Senate Joint Resolution 16, Yellowtail — Urges the governments of Montana and Wyoming to resolve their differences on the Powder River through negotiation of a basin management plan.

KILLED

HB290, Lory — To permit the Board of Dentistry to adopt rules concerning administering of anesthetics and advertis-

Services.

HB407, Ream — To allow a local air pollution control program license registration fee of $1 to be assessed against certain motor vehicles.

HB461, Bradley — To allow fees for services performed by the laboratories of the Department of Health and Environmental Sciences to be deposited in the federal and other special revenue funds.

HB829, Kadas — To specify a municipality or county may establish a motor vehicle emission inspection program as part of its local air pollution control program if federal or state ambient air quality standards are being violated or might be and require that motor vehicles subject to its ordinances demonstrate compliance with local motor vehicle emission standards prior to registration.

HB833, Spaeth — To earmark 1% of the cigarette sales tax collections for development by the Superintendent of Public Instruction of programs of instruction for school districts in wellness education with a special emphasis on smoking cessation.

SB52, Crippen — To provide increased flexibility in transferring all-beverages licenses by revising transfer quota limitations; eliminate prohibition of transferring previously transferred licenses; reduce annual fee for catering license; revise procedure for catering endorsement; reduce fee for catering an event. (Supported only after amendments.)

SB53, Crippen — Many of the same provisions as SB52 and allowing the Department of Revenue to waive certain filing requirements for special permits and allowing local health department participation in approved catered premises and locations for events under special permits. (Supported only after amendments.)

SB58, Christiaens — To require use of safety belts by driver and front seat passenger of automobiles, provisions of comparative negligence for failure to use and requiring another offense before citation.

SB125, McCallum — To test to detect drug use by persons charged with committing the offense of driving under the influence of alcohol or drugs.

SB227, Towe — To require notice of the use of sulfite as a food preservative by food service establishments and requiring Department of Health and Environmental Sciences to adopt rules, establish penalties.

SB277, Blaylock — To establish the Montana legacy program.

SJR9, Ed Smith — Expressing the views of the legislature relating to provision of services to developmentally disabled persons.

SJR13, Eck — Requesting formal establishment of a groundwater information center at the Montana Bureau of Mines and Geology and requesting the Montana Board of Regents of Higher Education to provide sustained funding.

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